

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

## **ORDER**

At Wilmington this 6th day of January, 2026;

WHEREAS, on August 8, 2025, Defendants filed a Motion to Dismiss the Amended Complaint Pursuant to Federal Rules of Civil Procedure 12(b)(6) for Failure to State a Claim and 12(b)(2) for Lack of Personal Jurisdiction (D.I. 48);

WHEREAS, on August 25, 2025, the Court granted Plaintiff's Motion for Extension of Time to Respond to Defendant's Motion to Dismiss (D.I. 51) and extended the deadline for Plaintiff to respond to September 26, 2025 (D.I. 52);

WHEREAS, on September 25, 2025, Plaintiff filed a Motion to Stay Proceedings or in the Alternative Motion for Extension of Time to Respond to Defendant's [sic] Motion to Dismiss (D.I. 56);

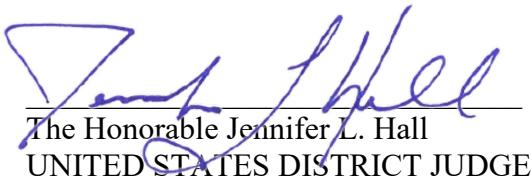
WHEREAS, on December 18, 2025, the Court granted-in-part and denied-in-part Plaintiff's Motion to Stay and extended the deadline for Plaintiff to respond to Defendants' Motion to Dismiss to December 31, 2025 (D.I. 60);

WHEREAS, on January 2, 2026, Plaintiff's Limited Response to Defendants' Motion to Dismiss and Alternative Motion for Leave to Amend Complaint Pursuant to Federal Rule of Civil Procedure 15(a)(2), dated December 30, 2025, was docketed (D.I. 61);

WHEREAS, Plaintiff's Response does not attempt to rebut Defendants' arguments and instead "seeks leave to amend and requests that consideration of the Motion to Dismiss be deferred pending the filing of an Amended Complaint" (*id.* at 2);

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. Defendants' Motion to Dismiss (D.I. 48) is GRANTED as unopposed.
2. Plaintiff's request for leave to amend (D.I. 61) is GRANTED. Plaintiff may file an amended complaint on or before January 23, 2026. Failure to file an amended complaint will result in closure of the case.



The Honorable Jennifer L. Hall  
UNITED STATES DISTRICT JUDGE